

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ELIZABETH K. ATWOOD a/k/a ELIZABETH KING,

Plaintiff,

-against-

COHEN & SLAMOWITZ, LLP, MITCHELL SELIP,
MITCHELL G. SLAMOWITZ, and DAVID A.
COHEN,

Defendants.

Case No. 2:14-cv-02973-JFB-AKT

MOTION TO EXTEND TIME TO
SUBMIT JOINT STATUS
LETTER TO THE COURT

1. Per this Court's order, entered on July 20, 2015, the parties to this action were directed to submit a joint status letter on September 4, 2015 (by which date all discovery is presumed to be completed) indicating three alternative dates upon which the parties are able to participate in a settlement conference.

2. The parties hereby jointly request that the time to submit a joint status letter to this Court be extended from September 4, 2015, to and including October 4, 2015.

3. Although all depositions are complete, one outstanding discovery issue remains, which the parties are working to resolve.

4. On August 12, 2015, Plaintiff served a subpoena duces tecum on a non-party to this action, Portfolio Recovery Associates ("PRA"), related to documents that may resolve one of the central issues in this case.

5. As of September 1, 2015, PRA had planned to file an objection to the subpoena. However, all parties are now cooperating to address this matter and come to terms on the production of relevant documents in an effort to avoid further discovery motions relating to the subpoena.

6. Plaintiff and Defendant agree that this request to postpone the above status letter to the court is in the best interest of all parties, and is made in an ongoing effort to resolve this final discovery issue in a timely fashion.

7. This is the first request for an extension of time to file the joint status letter in this action.

Dated: September 3, 2015

WILSON ELSER MOSKOWITZ,
EDELMAN & DICKER LLP

/s/ Joseph L. Francoeur

By: Joseph L. Francoeur, Esq.
150 East 42nd Street
New York, New York 10017
Telephone: (212) 490-3000
Our File No.: 11471.00007
Attorney for Defendants

MITCHELL L. PASHKIN, ESQ.

*/s/ Mitchell L. Pashkin (with
permission)*

By: Mitchell L. Pashkin, Esq.
775 Park Avenue, Suite 255
Huntington, NY 11743
Telephone: (631) 629-7709
Attorney for Plaintiff